



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Duncan Kerr

Attorney Docket No.: APL1P218/P2713US

Application No.: 10/075,520

Examiner: Nguyen, Kevin M.

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Group: 2674

Title: COMPUTING DEVICE WITH
DYNAMIC ORNAMENTAL APPEARANCE

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CERTIFICATE OF MAILING

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on September 19, 2005 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: Linda L. Pollock
Linda L. Pollock

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321
TO OBLIGATE A PROVISIONAL OBVIOUSNESS-TYPE
DOUBLE PATENTING REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Apple Computer, Inc., of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156, and § 173 of any patent granted on Second Application No. 10/075,964, filed on February 13, 2002, as shortened by any terminal disclaimer filed prior to its grant. The owner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on the Second Application are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and § 173 of any patent granted on the Second Application, as shortened by any terminal disclaimer filed prior to its grant, in the event

that any such granted patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an agent or attorney of record.

Please charge \$130.00 to cover the disclaimer fee and any additional fees required to facilitate filing of this paper to Deposit Account No. 500388 (Order No. APL1P218).

Respectfully submitted,

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